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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/880,139	06/14/2001	Felice Vinati	34701/GM/ch	5735

2352 7590 09/23/2004

OSTROLENK FABER GERB & SOFFEN
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NEW YORK, NY 100368403

EXAMINER

DUONG, THOMAS

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 09/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/880,139	Applicant(s) VINATI ET AL.	
	Examiner Thomas Duong	Art Unit 2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 June 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

1. Applicant is reminded that in order for a patent issuing on the instant application to obtain the benefit of priority based on priority papers filed in parent Application No. MI2000A002189 under 35 U.S.C. 119(a)-(d) or (f), a claim for such foreign priority must be timely made in this application and specified in the first paragraph on the present application. To satisfy the requirement of 37 CFR 1.55(a)(2) for a certified copy of the foreign application, applicant may simply identify the application containing the certified copy.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the limitations of *claims 1-7* must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. Please provide drawings (such as state diagrams) showing the steps described in the specification. The objection to the drawings will not be held in abeyance.
3. The informal drawings are not of sufficient quality to permit examination. Accordingly, replacement drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to

this Office action. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action.

Applicant is given a TWO MONTH time period to submit new drawings in compliance with 37 CFR 1.81. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a). Failure to timely submit replacement drawing sheets will result in ABANDONMENT of the application.

Specification

4. The disclosure is objected to because of the following informalities:
 - Please clarify all states and steps of the claimed invention. Also, please clearly describe the new accompanying drawings requested above. Appropriate correction is required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-7 are rejected under 35 U.S.C. 102(e) as being unpatentable over Willens (US005889958A).
7. With regard to claims 1 and 7, Willens reference discloses,

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- *upon connection of a user to a network service provider, checking data of the user who wishes to make the connection and comparing said data with a database in order to define a user profile; (Willens, col.2, line 62 – col.3, line 35; col.5, lines 9-37; col.8, lines 14-26; Willens teaches of a method of using stored user profiles to determine if the user is a minor (i.e. child), in order to allow or deny access to restricted websites)*
- *according to the user profile, allowing free access to said network, and if said user is a minor, accessing said network with a controlled navigation step.*
(Willens, col.2, line 62 – col.3, line 35; col.5, lines 9-37; col.8, lines 14-26; Willens teaches of a method of using stored user profiles to determine if the user is a minor (i.e. child), in order to allow or deny access to restricted websites)

8. With regard to claim 2, Willens reference discloses the invention substantially as claimed,

See *claim 1* rejection as detailed above.

Furthermore, Willens reference discloses,

- *wherein said user profile identification step consists in comparing the data entered by said user in order to access the network with a database which contains the profiles of users registered with said service provider. (Willens, col.2, line 62 – col.3, line 35; col.5, lines 9-37; col.8, lines 14-26; Willens teaches of a method of using stored user profiles to determine if the user is a minor (i.e. child), in order to allow or deny access to restricted websites)*

9. With regard to claims 3-5, Willens reference disclose the invention substantially as claimed,

See *claim 1* rejection as detailed above.

Furthermore, Willens reference discloses,

- *wherein said controlled navigation step comprises checking for the presence, in the sites that said user wishes to visit, of a keyword suitable to identify said site as accessible or not accessible to the minor user.* (Willens, col.1, lines 31-51; col.2, line 62 – col.3, line 35; col.5, lines 9-37; col.8, lines 14-26; Willens teaches of a method of using stored user profiles to determine if the user is a minor (i.e. child), in order to allow or deny access to restricted websites. Furthermore, Willens discloses that it is well known in the art to use keywords to deny pages that are deemed unsuitable for children)

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Willens (US005889958A) and in view of Walker et al. (US006286001B1).
12. With regard to claim 6, Willens reference discloses the invention substantially as claimed,

See *claim 1* rejection as detailed above.

However, Willens reference does not explicitly disclose,

- *comprising a step that consists in preparing a report of the navigation performed by said user and in sending said report to the parents of said minor user.*

Walker teaches,

- *comprising a step that consists in preparing a report of the navigation performed by said user and in sending said report to the parents of said minor user.*

(Walker, col.13, lines 20-36; Walker teaches of a step for gathering statistics on the usage of the user (i.e. children) for reporting to an authoritative figure (i.e. parent))

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine Walker reference with Willens reference to enable the authoritative figure (i.e. parent) to closely monitor and perhaps control the Internet content that their children access.

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- Olah et al. (US006446119B1)
- Maria et al. (US006092110A)
- Felciano et al. (US006052730A)
- McLain et al. (US006772214B1)

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas Duong whose telephone number is 703/305-1886 or 571/272-3911 (after 11/01/2004). The examiner can normally be reached on M-F 7:30AM - 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Wiley can be reached on 703/308-5221 or 571/272-3923 (after


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11/01/2004). The fax phone numbers for the organization where this application or proceeding is assigned are 703/872-9306 for regular communications and 703/872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703/305-3900 or 571/272-2100 (after 11/01/2004).

Thomas Duong (AU2143)

September 20, 2004


RUPAL DHARIA
SUPERVISORY PATENT EXAMINER